

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
Springfield Division**

<p>ANDREW ZIMMERMANN and KELLY ZIMMERMANN, as class representatives for the <i>ZIMMERMAN ACTION CLASSES</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>BDO SEIDMAN, LLP CHIPETINE NEU &amp; SILVERMAN LLP, KOSTIN, RUFFKESS &amp; COMPANY, LLC</p> <p style="text-align: center;">Defendants.</p>	<p>Civil Action No. 3:09-cv-30190</p> <p><b>ORDER</b></p>
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Plaintiffs Andrew Zimmermann and Kelly Zimmermann ("the Zimmermanns") have moved pursuant to Rules 41(a)(2) and 23(e) of the Federal Rules of Civil Procedure, to dismiss all claims against Kostin, Ruffkess & Company, LLC ("Kostin") from this action, without prejudice. Upon consideration whereof, and finding the consent of Kostin and good cause so to do, the Court hereby approves the motion and ADJUDGES ORDERS AND DECREES that the Zimmermanns' claims against Kostin are dismissed without prejudice, with each party to bear its own taxable costs.

  
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Michael B. Posner  
U.S. District Judge  
Entered: 4.23.10